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June 23, 2017

BY ECF

The Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Brennerman*, 17 Cr. 337 (RJS)

Dear Judge Sullivan:

I write to respond to the letter submitted this morning by AUSA Robert Sobelman. I note, first, that the government does not and cannot attempt to justify the statements that it made to this Court. The government represented that Raheem Brennerman had sold to an investor a property that he did not own. We provided documentation confirming that the government's representations were inaccurate at best; the contract involved a partnership to purchase and develop the property.

In response, the government ignores that issue and, in the process, actually engages in another misrepresentation, claiming that the funds were supposed to remain in escrow. The agreement contains no such provision nor does the government offer any evidence to support its assertion.

The government then recites statements of Judge McMahon. Each and every one of those matters was already fully considered by the Court in the prior determination that there were, in fact, conditions of bail sufficient to secure the defendant's appearance. On those issues, the Government is simply displeased with and seeking to relitigate the essential fact that those circumstances did not and do not justify detention.

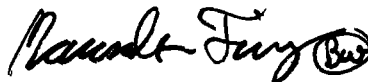
In the end, the government returns to its claim that the pending charges are "more serious." We emphasize again that the pending charges are not unlike charges that are filed in this district routinely: the defendant is charged with having obtained an amount of \$4 million from a financial institution, allegedly by misrepresenting himself. It is not even alleged that the proposed transaction was a fraud; rather the defendant supposedly overstated his own experience and operations. Under the Guidelines, that offense carries with it a sentence in the range of four to five years – far less than the numbers that were mentioned in court. It is the rare case that an

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The Honorable Richard J. Sullivan
June 23, 2017
Page 2

individual charged with such an offense, with no criminal history, and with stringent bail conditions already in place, would be detained. There is no aspect of this case that supports that result.

Respectfully,

A handwritten signature in black ink, appearing to read "Maranda E. Fritz". The signature is fluid and cursive, with a circled initial or mark at the end.

Maranda E. Fritz